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REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS  
AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Letter dated 20 July 1980 from the Permanent Representative of  
Israel to the United Nations addressed to the Secretary-General

I have the honour to refer to your note of 2 July 1980 concerning the request for the convening of an emergency special session of the General Assembly and to state that the holding of such an emergency special session would be both illegal and preposterous. It would make a complete mockery of the rules of procedure of the General Assembly.

General Assembly resolution 377 A (V) of 3 November 1950, entitled "Uniting for peace", referred to in that request laid down clear conditions under which emergency special sessions might be convened. The two essential prerequisites are:

- (a) Deliberations by the Security Council on a matter where there appears to be a threat to the peace, breach of the peace, or act of aggression, within the meaning of those terms under Chapter VII of the United Nations Charter; and
- (b) A veto by a permanent member of the Security Council in the vote after such deliberations.

The reference in the request to the negative vote cast by one of the permanent members of the Security Council at its meeting on 30 April 1980 is irrelevant and misleading. It is obvious both from the proceedings of the Council and from the draft resolution presented by Tunisia (S/13911) that the first requirement mentioned above was not met.

Moreover, the convening of this emergency special session not only patently violates the terms of resolution 377 A (V); it has also been arbitrarily timed to suit the whims and partisan interests of a group of States and their supporters in

\* A/35/150.

their implacable campaign against the current peace process in the Middle East. As is common knowledge, this "emergency special session" has been contemplated for years. The decision to convene it "at the appropriate time" - whether or not an emergency existed, within the meaning of resolution 377 A (V) - was taken in September of last year, at the Sixth Non-Aligned Summit held in Havana (see A/34/542 of 11 October 1979, p. 175). Most of the replies to the note of 2 July 1980 were deliberately withheld thus far, so that the opening of this illegal "emergency special session" would not start before 22 July 1980, the date set for the premeditated "emergency".

If indeed an emergency situation within the terms of resolution 377 A (V) did exist on 30 April 1980, it might have been expected that the request for the convening of an emergency special session would have been submitted immediately thereafter. The fact that no such request was submitted until 1 July 1980 is further evidence, if such were required, of the utter disregard and cynicism displayed towards the rules of procedure of the General Assembly by those responsible for the staging of this "emergency special session".

In view of its illegality, it follows that any resolutions adopted at this "emergency special session" will be equally illegal and tainted ab initio.

I have the honour to request that this letter be circulated as an official document of the General Assembly under item 109 of the provisional agenda.

(Signed) Yehuda Z. BLUM  
Ambassador  
Permanent Representative of Israel  
to the United Nations

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